

Message

---

**From:** Barger, Cindy [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=49E7798F1D8D426C854980D268C93714-BARGER, CIN]  
**Sent:** 8/10/2020 2:40:17 PM  
**To:** Kaiser, Russell [Kaiser.Russell@epa.gov]  
**Subject:** RE: Pebble Mine - My quick comments

I'm on a call too I'll call as soon as I'm off

*Cindy S. Barger*  
*Director, NEPA Compliance Division*  
*Office of Federal Activities*  
*U.S. Environmental Protection Agency*  
*Washington, DC*  
*Tel: 202-564-3169*  
**Cell:** Ex. 6 Personal Privacy (PP)

---

**From:** Kaiser, Russell <Kaiser.Russell@epa.gov>  
**Sent:** Monday, August 10, 2020 10:25 AM  
**To:** Barger, Cindy <Barger.Cindy@epa.gov>  
**Subject:** RE: Pebble Mine - My quick comments

Can you please call me on my cell. On a another teams meeting so that will block it. Thanks

**Russell L. Kaiser**  
**Chief, Freshwater and Marine Regulatory Branch**  
**Oceans, Wetlands and Communities Division**  
**Office of Wetlands, Oceans and Watersheds**  
**1301 Constitution Ave., N.W.**  
**Room 7114B West Bldg.**  
**Washington, DC 20004**  
**P: 202.566.0963**  
**C:** Ex. 6 Personal Privacy (PP)

---

**From:** Barger, Cindy <Barger.Cindy@epa.gov>  
**Sent:** Monday, August 10, 2020 10:00 AM  
**To:** Rountree, Marthea <Rountree.Marthea@epa.gov>; Kaiser, Russell <Kaiser.Russell@epa.gov>  
**Cc:** Schaedle, Candi <Schaedle.Candi@epa.gov>; Widner, Jacob <Widner.Jacob@epa.gov>; Simpson, Jonathan <Simpson.Jonathan@epa.gov>; Hough, Palmer <Hough.Palmer@epa.gov>  
**Subject:** Pebble Mine - My quick comments

Hi Marthea/Russ – Here's my quick comments. In short, I want to see all the comments reframed as specific concerns to addressed one of the following three reasons and recommendations that show how they are clearly meeting that objective

1. Help the Corps meet the ROD requirement to "State whether all practicable means to avoid or minimize environmental harm from the alternative selected have been adopted, and if not why not" (40 CFR 1505.2(c))

2. Help the Corps meet the ROD requirements to include “a monitoring and enforcement program shall be adopted and summarized where applicable for any mitigation.” (40 CFR 1505.2(c)) that is effective and enforceable (as provided in additional guidance in the 2011 CEQ mitigation memo or
3. Is helping the Corps with meeting the 404(b)(1) requirement to show that there is no practicable alternative to the selected alternative that is “which would have less adverse impact on the aquatic ecosystem, so long as the alternative does not have other significant adverse environmental consequences” and citing the specific sections of the 404(b)(1) analysis that this would be supporting (e.g., Subparts C-J) (Defer to OW for review on these comment/concerns) Having a specific permit condition with these would be great.

Thanks!

Cindy

*Cindy S. Barger*  
*Director, NEPA Compliance Division*  
*Office of Federal Activities*  
*U.S. Environmental Protection Agency*  
*Washington, DC*  
*Tel: 202-564-3169*  
Cell: Ex. 6 Personal Privacy (PP)